

Notice of Allowability

Application No.

09/590,942

Applicant(s)

PINE ET AL.

Examiner

Art Unit

Frantzy Poinvil

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 6/26/2006.
2. ☒ The allowed claim(s) is/are 75-110.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 10/12/06
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


FRANTZY POINVIL
PRIMARY EXAMINER
Au 2692

ALLOWANCE

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

As per claim 81, line 6, "the" before "option" has been changed to - -an- -. Also on line 6, "the" before "market price" has been changed to - -a- -. Also, on line 6, "the" before "underlying instrument" has been changed to "an".

As per claim 93, line 13, "for" has been deleted. On line 14, "determining" has been changed to - -determines- -. On line 17, "selecting" has been changed to - -selects- -. On line 18, "identifying" has been changed to - -identifies- -.

As per claim 99, line 5, "for" has been deleted. On line 7, "for" has been deleted. On line 8, "determining" has been changed to - -determines- -. On line 9, "the" before "option" has been changed to - -an- -. Also on line 9, "the" before "market" has been changed to - -a- -. On line 15, "selecting" has been changed to - -selects- -. On line 16, "identifying" has been changed to - -identifies- -.

As per claim 105, line 10, "for" has been deleted. On line 12, "for" has been deleted. On line 13, "determining" has been changed to - -determines- -. On line 15, "selecting" has been changed to - -selects- -. On line 16, "identifying" has been changed to - -identifies- -.

Authorization for this examiner's amendment was given in a telephone interview with Ari Pine on January 31, 2007.

2. The following is an Examiner's Statement of Reasons for Allowance:

The prior art taken alone or in combination failed to teach or suggest determining one or more relative reference value(s) being calculated using one or more defining characteristics of the option, selecting criteria including the relative reference value and one or more other datum and identifying option data satisfying the criteria as recited in independent claim 75.

The prior art taken alone or in combination failed to teach or suggest determining one or more relative reference value(s) for each option, selecting criteria including the relative reference value(s) and identifying option data in the plurality of options satisfying the criteria as recited in independent claims 81 and 87.

The prior art taken alone or in combination failed to teach or suggest a processing software determines one or more relative reference value(s), selects criteria including the relative reference value(s) and identifies option data in the plurality of options satisfying the criteria as recited in independent claims 93, 99 and 105.

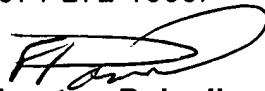
3. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday from 7:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (571) 272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Frantzy Poinvil
Primary Examiner
Art Unit 3692

FP
January 31, 2007